

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

MONDAY, THE TWENTY SEVENTH DAY OF JULY,
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WP .NO: 23187 of 2015

Between:

Akkishetty Kantamma W/o Late Rangaiah,
r/o Suravarapupalle village and Gram Panchayat,
Yeddnapudi Mandal, Prakasam District.

..... Petitioner

AND

- 1 The State of Andhra Pradesh, rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat, Hyderabad.
- 2 The Mandal Parishad Development Officer, Yeddnapudi Mandal, Prakasam District.
- 3 Suravarapupalle Gram Panchayat, rep. by its Secretary, Suravarapupalle village, Yeddnapudi Mandal, Prakasam District.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the impugned Notice dt. 26-12-2014 issued by the 3rd respondent directing the petitioner to remove the thatched house and cattle shed situated within Suravarapupalle Gram Panchayat, bearing Assessment No.314 of Yeddnapudi Mandal, Prakasam District, which is in existence for the past more than four decades, without following the procedure contemplated under the Law, as being illegal, arbitrary and unjust and consequently set aside the same by directing the 3rd respondent not to take any coercive steps without following the due process of Law.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Smt. Kavitha Gottipati, Advocate for the Petitioner, GP for Panchayat Raj (AP) for Respondent No.1 and Sri D. Seshadri, learned Standing Counsel for Respondent Nos.2 and 3, the Court made the following

ORDER:

Print the name of Sri D. Seshadri, learned Standing Counsel for respondents 2 and 3.

The petitioner contends that partially, the structure is removed.

If only partial structure is removed and full structure is not already removed, *status quo* obtaining as on today shall be maintained.

The petitioner shall not try to make any construction under the guise of *status quo*.

At request of the learned Standing Counsel, post after one (1) week for instructions.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary, Panchayat Raj and Rural Development Department, State of Andhra Pradesh, Secretariat, Hyderabad.
- 2 The Mandal Parishad Development Officer, Yeddnapudi Mandal, Prakasam District.
- 3 The Secretary, Suravarapupalle Gram Panchayat, Suravarapupalle village, Yeddnapudi Mandal, Prakasam District.
(Addressees 1 to 3 BY RPAD)
- 4 One CC to Smt. Kavitha Gottipati, Advocate (OPUC)
- 5 Two CCs to the G.P. for Panchayat Raj (AP), High Court, Hyderabad.
(OUT)
- 6 One spare copy.

nnr

HIGH COURT

PNR,J

DATED: 27-7-2015

**NOTE: Post after one week
for instructions**

ORDER

W.P.NO. 23187 OF 2015

DIRECTION

HIGH COURT

**Nnr
Date of Drafting : 28-07-2015**

PNR,J

DATED: 27-7-2015

**NOTE: Post after one week
for instructions**

ORDER

W.P.NO. 23187 OF 2015

DIRECTION